

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

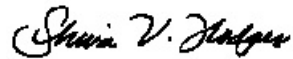
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|------------------------------------|---|---------------------------|
| Dean Kinningham, |) | C/A No.: 1:12-439-JMC-SVH |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER |
| |) | |
| Warden Adwell; Greg Livingston, RN |) | |
| Nurse; GEO Care, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

Plaintiff, proceeding *pro se* and in forma pauperis, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendant GEO Care of South Carolina, Inc. (“GEO Care”) filed a motion to dismiss on June 14, 2012. [Entry #36]. As Plaintiff is proceeding *pro se*, the court entered an order on June 15, 2012, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion to dismiss and of the need for him to file an adequate response. [Entry #38]. Plaintiff was specifically advised that if he failed to respond adequately, GEO Care’s motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims against GEO Care. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with his claims against GEO Care and to file a response to GEO Care’s

motion to dismiss by August 6, 2012. Plaintiff is further advised that if he fails to respond, his claims against GEO Care will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

July 23, 2012
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge